

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLIE THORNTON, )  
Plaintiff, )  
) CIVIL ACTION NO.: 05-10210-RGS  
v. )  
) )  
UNITED PARCEL SERVICE, INC., )  
Defendant. )  
\_\_\_\_\_ )

## PLAINTIFF'S PROPOSED JURY VERDICT FORM

1. Do you find, by a preponderance of the evidence, that the Plaintiff was substantially limited in one or more major life activities?

YES

NO

2. Do you find, by a preponderance of the evidence, that the Plaintiff was regarded by the Defendant as substantially limited in one or more major life activities?

YES

NO

If you answered “YES” to Questions 1 or 2, proceed to Question 3. If you answered “NO”, go no further.

3. Do you find, by a preponderance of the evidence, that the Plaintiff could perform the essential functions of his job with or without a reasonable accommodation?

YES

NO

If you answered “YES” to Question 3, proceed to Questions 4 **and** 5. If you answered “NO”, go no further.

4. Do you find, by a preponderance of the evidence, that the Defendant maintained an unlawful employment policy or practice which was applied to the Plaintiff?

YES

NO

5. Do you find, by a preponderance of the evidence, that the Defendant failed to provide the Plaintiff with a reasonable accommodation?

\_\_\_\_\_  
YES

\_\_\_\_\_  
NO

If you answered "YES" to Question 4 or 5, proceed to Questions 6, 7, 8, 9 and 10. If you answered "NO", go no further.

6. What amount of lost wages do you award the Plaintiff?

\_\_\_\_\_  
In Numbers

\_\_\_\_\_  
In words

7. What amount of compensatory damages do you award the Plaintiff?

\_\_\_\_\_  
In Numbers

\_\_\_\_\_  
In words

8. What, if any, amount of punitive damages do you award the Plaintiff?

\_\_\_\_\_  
In Numbers

\_\_\_\_\_  
In words

9. Do you award the Plaintiff interest? (the amount will be calculated by the clerk)

\_\_\_\_\_  
YES

\_\_\_\_\_  
NO

10. Do you award the Plaintiff additional damages to compensate him for any increased tax liability as a result of receiving several years of wages in one calendar year?

\_\_\_\_\_  
YES

\_\_\_\_\_  
NO

If you answered "YES" to Question 10, proceed to Question 11. If you answered "NO", go no further.

11. How much in additional damages do you award the Plaintiff?

\_\_\_\_\_  
In Numbers

\_\_\_\_\_  
In words

Respectfully Submitted,  
Charlie Thornton  
By his attorneys

DATED: February 5, 2008

//s// Michael Tumposky  
Stephen Hrones  
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Michael Tumposky  
BBO No. 660618  
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**CERTIFICATE OF SERVICE**

I, Michael Tumposky, hereby certify that, on this the 5th day of February, 2008, I served a copy of this document, where unable to do so electronically, by first-class mail on all counsel of record in this matter.

//s// Michael Tumposky  
Michael Tumposky